APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/100,129	06/19/98	HAVERSTOCK	P 52817.000035

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ART UNIT	PAPER NUMBER
2756	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Application No.	Applicant(s)
Office Action Summary	09/100,129	Paul Haverstock, et al.
	Examiner	Art Unit
	Paul H Kang	2756

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

1)☒ Responsive to communication(s) filed on _23 July 1999_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    a)☐ All b)☐ Some * c)☐ None of the CERTIFIED copies of the priority documents have been:

      1.☐ received.

      2.☐ received in Application No. (Series Code / Serial Number) _____ .

      3.☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

14) ☒ Notice of References Cited (PTO-892)

15) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

17) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

18) ☐ Notice of Informal Patent Application (PTO-152)

19) ☐ Other: .

DETAILED ACTION

Specification

1.   The disclosure is objected to because the "Related Applications" section of the

specification does not include the application serial no. for the cited co-pending applications.

The applicant is required to update the co-pending application data, including the application

serial no., for each and every co-pending application.

Appropriate correction is required.

Double Patenting

2.   The nonstatutory double patenting rejection is based on a judicially created doctrine
grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or
improper timewise extension of the "right to exclude" granted by a patent and to prevent possible
harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed.
Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686
F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA
1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
        A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to
overcome an actual or provisional rejection based on a nonstatutory double patenting ground
provided the conflicting application or patent is shown to be commonly owned with this
application. See 37 CFR 1.130(b).
        Effective January 1, 1994, a registered attorney or agent of record may sign a terminal
disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37
CFR 3.73(b).

3.   Claims 1-3, 5, 7-10, 12, 14, 15-17, 19-23, and 25 are provisionally rejected under the

judicially created doctrine of obviousness-type double patenting as being unpatentable over

claims cited on attached Chart 1 of copending Application Nos. 09/100,117, 09/100,118,

09/100,119, 09/100,120, 09/100,121, 09/100,128, 09/100,130, and 09/100,131 (herein referred to

as '117, '118, '119, '120, '121, '128, '129, '130, '131). The left most column of Chart 1 shows

limitations as claimed in '117. To the right of each limitation, eight columns, one for each co-

pending application, have claim numbers having similar limitations.

Although the conflicting claims are not identical, they are not patentably distinct from

each other because the co-pending applications cited in Chart 1, particularly '117, discloses the

invention substantially as claimed by '129.

Claim 1 of '129 claims *a server* ('117 claims *a server* used in processing URL requests

which are most commonly used in web environments);

one or more non-markup databases, comprising one or more non-markup language

objects, in communication with the server ('117 claims *at least one database associated with the*

server and *one or more non-markup language objects stored on the at least one database); and*

a client comprising a browser, the browser being operable to communicate a request to

the server to access the one or more non-markup language objects ('117 claims *at least one*

client comprising a browser, the browser being operable to communicate a URL request for the

one or more non-markup language objects to the server... It is well known that requests for data

on a server from a browser comprises URL information); *and*

a workflow module that facilitates one or more tasks of the server that comprise the one

or more non-markup language objects according to a predefined process ('117 claims *wherein*

the server, upon receipt of the request, retrieves the non-markup language object and performs

the at least one action command on the object... The action performed by the system of '117 is

similar to that of the system of '129. In both systems a client requests data from a server, the

server receives the request, retrieves the data, processes the data and sends the data to the user.

'117 does not specifically state having a workflow module to perform action, however, both

systems perform predefined tasks to non-markup language objects).

The above rejection of claim 1 of '129 to claim 1 of '117 is exemplary of the double

patenting rejections of all relevant claims in '129 to applicable claims of all other co-pending

applications having similar limitations as listed in Chart 1. This is a provisional obviousness-type

double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 1-3, 8-9, 15-17, 19, and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leone, US Pat. No. 5,745,360 (herein referred to as Leone).

6.   As to claim 1, Leone discloses the invention substantially as claimed. Leone teaches:

a server (fig. 2, WWW server (HTTPD) 8b);

one or more non-markup databases, comprising one or more non-markup language

objects, in communication with the server (fig. 2);

a client comprising a browser, the browser being operable to communicate a request to

the server to access the one or more non-markup language objects (the user requests the server

for book 7 using a browser, col. 4 lines 6-45);

However, Leone does not specifically disclose *a workflow module that facilitates one or*

more tasks of the server that comprise the one or more non-markup language objects according

to a predefined process. Leone does disclose a Dynamic Interchange Translation Agent which is

extrapolated from CGI scripts for performing predetermined actions once a non-HTML

document has been selected (col. 3, line 12 – col. 4, line 45).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to have incorporated a workflow module that facilitates tasks of the server

that comprise the non-markup language objects into the system of Leone in order to

automatically perform functions according to a predefined process.

The apparatus, method and code of claims 8, 15, and 21, respectively, have similar

limitations as the apparatus of claim 1; therefore, claims 8, 15, and 21 are rejected under the

same rationale.

7.   As to claim 2, the CGI program locates, opens and converts the non-HTML document based

on a user request for the document (col. 4, lines 6-45);

The apparatus, method and code of claims 9, 19, and 22, respectively, have similar limitations as the apparatus of claim 2; therefore, claims 9, 19, and 22 are rejected under the same rationale.

8.   As to claim 3, Leone discloses the invention substantially as claimed. However, Leone does not specifically disclose a workflow module that distributes, routes, and tracks the one or more objects according to a predetermined process. Leone does teach a CGI program and a special agent component that performed designated functions on a object and routes them to the appropriate location.

It is common knowledge in the prior art to use CGI programs in the same field of endeavor for the purpose of automating processes to increase efficiency. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated a workflow module using CGI programs to distribute, route and track objects in order to increase system efficiency by automatically moving objects according to a predetermined requirement.

The apparatus and method of claims 10, 16, 17, and 23 have similar limitations as the apparatus of claim 3; therefore, claims 10, 16, 17, and 23 are rejected under the same rationale.

9.   Claims 4-7, 11-14, 18, 20, and 24-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leone as applied to claims 1-3 above, and further in view of Schutzman, et al.,

US Pat. No. 5,627,764 (herein referred to as Schutzman).

10. As to claim 4, Leone discloses the invention substantially as claimed. However, Leone does

not specifically disclose *a notifying module that notifies the system user that an action is*

required for the one or more objects.

Schutzman teaches a workflow administration system which provides notification to the

user in the same field of endeavor for the purpose of providing the use feedback for follow-up

activity, workflow administration or routing (Schutzman, col. 3, line 9 – col. 4, line 55).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to have incorporated the notifying module of Schutzman into the

client/server system of Leone in order to automate the system while maintaining user control and

knowledge of internal functions of the system, thereby increasing system reliability and

efficiency.

The apparatus, method and code of claims 11, 18, and 24, respectively, have similar

limitations as the apparatus of claim 4; therefore, claims 11, 18, and 24 are rejected under the

same rationale.

11. As to claim 5, Leone-Schutzman teaches a translator for translating non-markup language

objects into markup language format (Leone, col. 4, lines 6-45);

The apparatus, method and code of claims 12, 20, and 25, respectively, have similar

limitations as the apparatus of claim 5; therefore, claims 12, 20, and 25 are rejected under the

same rationale.

12. As to claim 6, Leone-Schutzman teaches a client/server system comprising a HTTP server

module (Leone, fig. 2 and col. 4, lines 6-45);

The apparatus of claims 13 has similar limitations as the apparatus of claim 6; therefore,

claim 13 is rejected under the same rationale.

13. As to claim 7, Leone-Schutzman teaches a client/server system comprising a non-markup

language server (non-markup language processing functionality resides on server 3; Leone, col.

4, lines 6-45).

The apparatus of claims 14 has similar limitations as the apparatus of claim 7; therefore,

claim 14 is rejected under the same rationale.

Conclusion

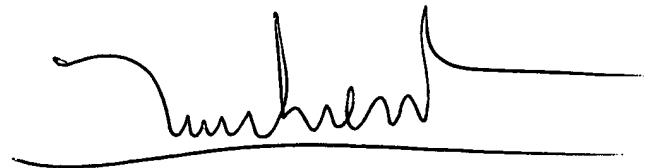14. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

Enoki et al.	5,873,085
Higley	5,790,793.

15. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner

can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Frank Asta can be reached on (703) 305-3817. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 305-9731 for regular

communications and (703) 305-3900 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

PHK
December 19, 1999

LE HIEN LUU
PRIMARY EXAMINER

Chart 1: Claim Limitation Comparison

09/100,117		09/100,118	09/100,119	09/100,120	09/100,121	09/100,128	09/100,129	09/100,130	09/100,131
Claim 1	A client/server system enabling a server to process URL requests from a browser for non-markup language objects, the URL containing action commands, the system comprising:								
	a server;	1,6,11,12	1,3,5,4,6,8,9,10,11,13,14,15,16	1,3,4,9,11,12,17,20	1,6,11,16	1,6,11,16	1,6,8,13	1,3,4,5,6,8,9,10,11,13,14,15,16	1,3,9,11,17,19
	at least one database associated with the server;	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,20	1,6,11,16	1,6,11,16	1,14	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
	one or more non-markup language objects stored on the at least one database;	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,20	1,6,11,16	1,6,11,16	1,8,14	1,3,4,6,8,9,11,13,14,16	1,2,4,9,10,12,17,18,20
	at least one client comprising a browser, the browser being operable to communicate a URL request for the one or more non-markup language objects to the server, wherein the URL contains an object locator and at least one non-markup language action command;	1,6,11,12	1,2,4,6,7,9,11,12,14,16	1,2,9,10,17,18,20,22	1,6,11,16	1,6,11,16	1,2,7,8,9,14,19,22	1,2,4,6,7,9,11,12,14,16	1,2,9,10,17,18,20
	wherein the server, upon receipt of the request, retrieves the non-markup language object and performs the at least one action command on the object.	1,6,11,12	1,4,6,9,11,14,16	1,9,17,20	1,2,3,9,10,11,17,18,20,22	1,6,11,16	1,2,3,8,9,10,14,15,16,17,19,21,22	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
Claim 2	The system of claim 1 wherein said web server is operable to convert the non-markup language object to a markup language object.		1,3,4,6,8,9,11,13,14	1,3,9,11,17,19,20,21	2,3,10,11,18,22	2,6,7,11,12,16,17	1,2,5,8,9,12,15,16,19,20,21,22,25	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
Claim 3	The system of claim 1 wherein the URL further comprises arguments identifying parameters associated with the commands.					2,7,12,17			
Claim 4	A client/server system enabling a server to process URL requests from a browser for non-markup language objects, the URL containing action commands, the system comprising:								
	presenting means for presenting markup language objects;	1,6,11,12	1,2,4,6,7,9,11,12,14,16	1,2,9,10,17,18,20,22	1,6,11,16	1,6,11,16	1,8	1,4,6,9,11,14,16	1,2,9,10,17,18,20
	receiving means for receiving a URL-based request for non-markup language object from the presenting means, the URL-based request comprising action commands;	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,20	1,2,9,10,17,18,20,22	1,6,11,16	1,2,8,13,14,15,16,21,	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
	storing means for storing one or more non-markup language objects;	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,20	1,6,11,16	1,6,11,16	1,2,8	1,3,4,6,8,9,11,13,14,16	1,2,4,9,10,12,17,18,20
	wherein the receiving means, upon receipt of the request, retrieves the non-markup language object, converts the non-markup language object to one or more markup language objects, processes the action commands and communicates the one or more markup language objects to the browser.	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,19,20,21	1,2,3,9,10,11,17,18,20,22	6,11,16	1,2,3,8,9,10,14,15,16,17,19,21,22	1-16	1,2,9,10,17,18,20
Claim 5	The system of claim 4 wherein the URL further comprises arguments identifying parameters associated with the commands.					2,7,12,17			
Claim 6	A method for enabling a server to process URL requests from a browser for non-markup language objects, the URL containing action commands, the method comprising the steps of:								
	storing one or more non-markup language objects;	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,20	1,6,11,16	1,6,11,16	1,8	1,3,4,6,8,9,11,13,14,16	1,2,4,9,10,12,17,18,20
	receiving a URL-based request for a non-markup language object from a browser, the URL-based request comprising action commands;	1,6,11,12	1,3,4,5,6,8,9,10,11,13,14,15,16	1,2,3,9,4,10,11,12,17,18,20,22	1,2,9,10,17,18,20,22	1,6,11,16	1,6,8,13,14,15,16,21,	1,3,4,5,6,8,9,10,11,13,14,15,16	1,2,3,9,10,11,17,18,19,20
	retrieving the one or more non-markup language objects;	1,6,11,12	1,4,6,9,11,14,16	1,9,17,20	2,3,10,11,18,22	1,6,11,16	1,7,8,9,19,22	1,4,6,9,11,14,16	1,2,9,10,17,18,20
	converting the one or more non-markup language objects to one or more markup language objects;		1,3,4,6,8,9,11,13,14	1,3,9,11,17,19,20,21	3,11	6,11,16	1,2,5,8,9,12,15,16,19,20,21,22,25	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
	communicating the one or more markup language objects to the browser.	1,6,11,12	1,2,4,6,7,9,11,12,14,16	1,9,17,20	1,6,11,16	1,6,11,16	1,3,8,9,10,15,16,17,21,22	1,2,4,6,7,9,11,12,14,16	1,2,9,10,17,18,20
Claim 7	The method of claim 6, further comprising the step of identifying parameters associated with the commands.					2,7,12,17			

Claim	Description							
Claim 8	A computer useable medium having computer readable program code embodied therein for enabling a server to process action commands contained in a URL communicated by a browser, the computer readable program code in the computer useable medium comprising:							
	computer readable program code for causing a computer to store one or more non-markup language objects in at least one database;	1,6,11,12	1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,20	1,6,11,16	1,6,11,16	1,2,8	1,3,4,6,8,9,11,13,14,16	1,2,4,9,10,12,17,18,20
	computer readable program code for causing a computer to request the one or more non-markup language objects and action commands associated with the one or more non-markup language documents in a URL using a browser;	1,6,11,12	1,4,6,9,11,14,16	1,2,9,10,17,18,20,22	1,6,11,16	1,6,11,16	1,2,7,8,9,13,14,19,22	1,4,6,9,11,14,16	1,2,9,10,17,18,20
	computer readable program code for causing a computer to translate the one or more non-markup language objects into markup language objects;		1,3,4,6,8,9,11,13,14,16	1,3,9,11,17,19,20,21	3,11	6,11,16	1,2,5,8,9,12,15,16,19,20,21,25	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
	computer readable program code for causing a computer to process the commands; and	1,6,11,12	1,4,6,9,11,14,16	1,9,17,20	1,2,9,10,17,18,20,22	1,6,11,16	1,2,5,8,9,12,15,16,19,20,21,25	1,4,6,9,11,14,16	1,2,9,10,17,18,20
	computer readable program code for causing a computer to communicate and present the one or more markup language objects in the browser according to the action commands.	1,6,11,12	1,2,4,6,7,9,11,12,14,16	1,9,17,20	1,6,11,16	1,6,11,16	1,3,8,9,10,15,16,17,21,22	1,2,4,6,7,9,11,12,14,16	1,2,9,10,17,18,20
Claim 9	The medium of claim 8, wherein the URL further comprises arguments identifying parameters associated with the commands.	1,6,11,12				2,6,7,11,12,16,17	8		
Claim 10	The medium of claim 8, wherein the server is operable to convert the non-markup language object to a markup language object.		1,3,4,6,8,9,11,13,14	1,3,9,11,17,19,20,21	3,11		1,2,5,8,9,12,15,16,19,20,21,22,25	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20
Claim 11	The medium of claim 8, wherein the URL further comprises arguments identifying parameters associated with the commands.	1,6,11,12				2,6,7,11,12,16,17	8		
Claim 12	The system of claim 4, wherein the server is operable to convert the non-markup language object to a markup language object.		1,3,4,6,8,9,11,13,14	1,3,9,11,17,19,20,21	3,11		1,2,5,8,9,12,15,16,19,20,21,22,25	1,3,4,6,8,9,11,13,14,16	1,2,9,10,17,18,20